**Questionnaire on child, early and forced marriage in humanitarian settings**

**Response of Ireland**

**September 2018**

Ireland’s commitment to the promotion and protection of human rights is a fundamental feature of its foreign policy and aid programme. Sustainable development can only be achieved by ensuring that human rights underpin all areas of development. The United Nations General Assembly Resolution on Child, Early and Forced Marriage recognises that child marriage is a human rights violation that disproportionately affects girls and that it perpetuates other violations of human rights.

Preventing early, child and forced marriage is an important area to be addressed within the Agenda 2030.  SDG 5.3 aims to **eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.**

**1. Please provide information and data on the prevalence of child, early and forced marriage, in relation to the number of women and girls living in specific humanitarian settings. Kindly provide data disaggregated by sex and age, and in relation to the overall number of women and girls, as well as boys where relevant, in the population.**

Ireland does not hold any data on prevalence of child, early and forced marriage in a humanitarian context but is committed to assisting NGOs and UN partners.

**2. What measures were taken to strengthen data gathering, contextual analysis and analysis of social factors contributing to child, early and forced marriage in humanitarian settings?**

Internationally, Ireland has supported a number of UN partners in the prevention of child, early and forced marriages, including UNICEF, UNFPA and UN Women. Working at local, national and international levels, they are working to raise the age of marriage and to address gender discrimination, through promoting the empowerment of girls, eliminating violence against women and girls, and supporting the strengthening of legal and policy environments.

**3. What are the specific challenges and gaps in the prevention and eliminating of the practice of child, early and forced in humanitarian settings? How could such challenges and gaps be overcome?**

Addressing the root causes of child, early and forced marriage, requires tackling poverty, gender inequality, and violence against women and girls. It also calls for mobilising communities to address attitudes to this and other harmful practices and to transform social norms.

Ireland continues to advance its core commitment to prioritise protection, including protection of women and girls in emergencies, prevention and response to Sexual and Gender Based Violence, in the international humanitarian response system. We do this through the deployment of funding, personnel, advocacy, and research.

A vulnerability approach to disasters shows that inequalities in access to resources, capabilities and opportunities systematically disadvantage certain groups of people, rendering them more vulnerable to the impact of humanitarian disasters. Women, children, older people, persons with disabilities, displaced people and minority groups may be denied vital assistance or the opportunity to be heard due to physical, cultural and/or social barriers. Experience has shown that treating these people as a long list of ‘vulnerable groups’ can lead to fragmented and ineffective actions.

Through our advocacy, appraisal tools, and programming and funding decisions, Ireland seeks to ensure that a differentiated approach to humanitarian response is adopted and that in all aspects of the relief effort, special measures are taken to ensure the inclusion of those who are hard to reach.

We recognise that children often form a larger percentage of an affected population. In disaster situations, in addition to the most basic needs of food, water and shelter, children are always the most vulnerable to risks that threaten their wellbeing, including early or forced marriage.

**4. What are the lessons learned and promising practices identified in preventing and eliminating child, early and forced marriage in such settings? Please refer to the definition of humanitarian settings provided in resolution 35/16 enclosed**

Ireland recognises that girls’ education, is strongly associated with later marriage. In addition to formal education, schools provide important opportunities to raise awareness of children’s rights and gender equality. Girls are particularly affected in securing a good education in conflict-affected areas given the increased safety and security concerns. As children increasingly spend more protracted periods of time in refugee camps, it is critically important that education provision becomes an integral part of the humanitarian response. Supporting access to quality education is a key priority for Ireland. Ireland supports the Global Partnership for Education (GPE) which supports quality education provision in over 65 countries, including those countries affected by fragility and conflict. In April, 2018, Ireland’s Minister of State for the Diaspora and International Development, Ciarán Cannon, was named as a Political Champion for Education in Emergencies.

**5. What impact have exacerbating factors had on child, early and forced marriages in humanitarian settings?**

Ireland recognises that humanitarian emergencies affect women and girls differently from men and boys. During natural and man-made emergencies, women and girls are particularly vulnerable to all forms of sexual and gender-based violence, including physical abuse and exploitation, rape and early and forced marriage.

**6. What measures (e.g., legislative, regulatory, policy and programmatic) are in place or have been adopted to address the root causes and exacerbating factors of child, early and forced marriage?**

In Irish law, the offence of forced marriage is contained in the Domestic Violence Act 2018, which was signed into law in May 2018. The offence is broadly defined and includes extra-territorial jurisdiction over the crime in relation to Irish citizens and those ordinarily resident in Ireland. It deals with the removal of persons from the state, and defines relevant conduct so as to include violence, threats, undue influence and any form of coercion or duress.

The Domestic Violence Act 2018 also repeals certain provisions in Irish law allowing for an exemption, in certain cases, from minimum age requirements for marriage. Specifically, Section 33 of the Family Law Act 1995 allows an application to court for an exemption to the requirement that a person must be over 18 to marry. This is reflected in section 2 of the Civil Registration Act 2004 (as amended) which provides that being under age 18 is not an impediment to marriage where such an exemption has been granted by the court. Amongst the provisions of the new Domestic Violence Act 2018 is the removal of the underage marriage exemption by the repeal of section 33 of the Family Law Act 1995 (section 45 refers). This will help to protect minors against forced marriage, as requiring both intended spouses to be at least 18 should assist in ensuring that potential spouses have the maturity to withstand parental or other pressure to marry a particular person.

The Act (in section 49) also provides for the necessary amendments to the Civil Registration Act 2004 (as amended) to remove the exemption for underage marriage from those provisions.

A Commencement Order (i.e. a statutory instrument signed by the Minister) is required in order to bring these provisions into effect.

The Act provides that there is no effect on the validity of marriages which have already taken place on the basis of a marriage exemption granted prior to the commencement of these new provisions. Also, where an application under section 33 of the Family Law Act 1995 has been made but has not been determined when these new provisions come into effect, the Act provides that the application shall continue and where an order granting an exemption is made in those circumstances, that shall be a valid exemption. Any other exemption granted before the commencement of these provisions shall also continue to be a valid exemption.

**7. What measures are/have been undertaken to enhance the agency and autonomy of girls and women in humanitarian settings, including in relation to their participation and consultation in the design, implementation and evaluation of measures and initiatives that affect the enjoyment of their rights?**

Through Ireland’s humanitarian funding we support a number of NGOs to implement programmes to address the needs of populations in protracted and sudden onset emergencies. These organisations play a pivotal role addressing issues of children’s empowerment, protection and early marriage. Examples include:

In Syria, World Vision engaged both male and female children (age 13-15) and male and female adolescents (age 16-22) with life skills trainings and community based activities. 58% of youth were engaged in community activities (e.g. building tents, sheltering, assisting with household tasks for vulnerable families). The adolescents benefited from sessions that introduced them to different life skills (decision making, leadership, identity, self-assertion, negotiation, planning, etc.) with the aim of enabling them to make safe life choices/decisions and cope better with their employment reality. Participants reported benefitting greatly from the activities, particularly girls who saw themselves as better placed to avoid early marriage.

In Kenya, Ireland supports the International Rescue Committee to target out-of-school adolescent girls at risk of forced marriage with the aim of building their resilience through a life skills curriculum that works with community volunteer mentors and 71 in-school adolescent girls through school clubs with information on GBV services and life skills development.

**8. What measures are/have been taken to effectively engage family members, community and religious leaders in raising awareness about, and countering child, early and forced marriage in humanitarian contexts?**

Through our funding to humanitarian NGOs Ireland has supported World Vision in South Sudan to deliver training to women’s groups on GBV risk and hazards - which included early marriage, GBV, labour exploitation, and early and forced marriage - and how to report and refer GBV cases in the community. The women’s groups participated in awareness raising discussions and community mobilization events, such as International Women’s Day and 16 Days of Activism Against GBV. In addition community members, teachers, religious and community leaders attended training and workshops on the role of the community in reporting and referring GBV cases, including facilitating community dialogue to identify and resolve child cases.

In the Central African Republic, Plan conducted training focused on adolescents and puberty, relationships between parent and child including managing relations with children with specific needs such as psychosocial distress, consequences of early marriage/pregnancy versus education, rights of a child, positive discipline and the role and responsibilities of the parent.

In Niger, Plan put in place supports to address community concerns including classroom construction and rehabilitation to provide safe learning spaces, establishment of child protection committees and school GBV focal points, safe schools and child rights approaches, awareness activities and training of teachers and community members on the relevant topics, which included child marriage. 74% of parents perceive themselves as better equipped to fulfil their protection responsibilities. They reported change in attitude and perceptions concerning early marriage, domestic violence and certain socio-cultural practices.

In Ethiopia, the International Rescue Committee worked with community leaders on early marriage and FGM awareness-raising activities, identified vulnerable women and girls, participated in community dialogues and facilitated GBV information sessions for community members.

**9. What concrete actions are/have been taken to provide appropriate protection and accountability mechanisms for women and girls at risk and also to victims or survivors of child, early and forced marriage, including those living in isolated and remote areas?**

Our funding to UN agencies (listed above) supports awareness raising in communities of the benefits of delayed marriage and enhancing the economic situation of girls and their families. For example in 2017 the UN Trust Fund on the Elimination of Violence against Women and Girls supported 27 grantees to work with community and faith group leaders to advocate for changes in behaviours and attitudes on violence against women and girls and an end to harmful traditional practices. One such organisation is the International Institute of Rural Reconstruction (IIRR) in Kenya which is working to prevent and protect women from violence, with a focus on FGM and early marriage. The approach, called “Learning Our Way Out”, focuses on engaging and empowering communities to establish their own approaches for eradicating violence and other harmful practices.

**10. What efforts were taken to enhance coordination of programmes in humanitarian contexts towards the prevention and elimination of child, early and forced marriage?**

Irish Aid ensures that all its NGO partners engaged in humanitarian settings participate in IASC-designated cluster coordination systems, including the child protection area of responsibility, in order to strengthen system-wide preparedness and response capacity. All partners also adhere to the SPHERE Minimum Standards for Child Protection in Humanitarian Action, internationally recognised principles and minimum standards that ensure more predictable, accountable and effective child protection responses in emergencies.